

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NATURAL RESOURCES DEFENSE COUNCIL,

Plaintiff,

-v-

MICHAEL REGAN, in his official capacity as
Administrator of the United States Environmental
Protection Agency; and the UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY,

Defendants.

No. 24 Civ. 461 (VEC)

**[PROPOSED]
STIPULATION AND ORDER
TERMINATING CONSENT DECREE**

WHEREAS, on December 7, 2021, the Court entered a consent decree (Dkt. No. 35 (the “Consent Decree”)) resolving the claims in this matter;

WHEREAS, Paragraph 3 of the Consent Decree required the Environmental Protection Agency (“EPA”) to “sign for publication in the Federal Register ‘revisions’ to the consumer confidence report regulations to comply with 42 U.S.C. § 300g-3(c)(4)(F)”;

WHEREAS, Paragraph 8 of the Consent Decree provides that “[a]fter publication in the Federal Register of revisions to the consumer confidence report regulations as required by paragraph 3, this Consent Decree shall terminate and the action shall be dismissed with prejudice and without further action of the parties or the Court,” but also provides that “EPA may move the Court for an order reflecting that such termination and dismissal has occurred”; and

WHEREAS, on May 14, 2024, the EPA Administrator signed for publication in the Federal Register “revisions” to the consumer confidence report regulations in compliance with Paragraph 3, *see* EPA, *Consumer Confidence Report Rule Revisions* (reflecting May 14, 2024 pre-publication Federal Register notice), *available at* <https://www.epa.gov/ccr/consumer-confidence-report-rule-revisions>, and the published rule appeared in the Federal Register on May 24, 2024, *see* 89 Fed.

Reg. 45,980 (May 24, 2024), *available at* <https://www.govinfo.gov/content/pkg/FR-2024-05-24/pdf/2024-10919.pdf>;

NOW THEREFORE, it is hereby stipulated and agreed by counsel for Plaintiff and counsel for EPA that pursuant to Paragraph 8 of the Consent Decree, the Consent Decree is terminated and the action dismissed.


COUNSEL FOR PLAINTIFF:

NATURAL RESOURCES
DEFENSE COUNCIL

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SO ORDERED: on this _____ day of _____, 2024.

HON. VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE